

1 SIMON J. FRANKEL (No. 171552)  
2 SHANNON SCOTT (No. 233386)  
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3 A Professional Corporation  
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6 Attorneys for Defendant  
7 BERKELEY HISTORICAL SOCIETY

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 Richard Schwartz,

No. C05-01551 JCS

12 Plaintiff,

*E-FILING*

13 v.

14 Berkeley Historical Society,  
15 Defendant.  

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**STIPULATION EXTENDING TIME  
FOR DEFENDANT TO RESPOND  
TO COMPLAINT**  
(N.D. Cal. Local Rule 6-1(a))

16 Judge: Joseph C. Spero

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18 The parties are presently engaged in good faith settlement discussions, which they  
19 believe may resolve this entire action. Specifically, the parties have exchanged detailed  
20 settlement proposals and believe that the few remaining unresolved issues can be resolved in  
21 the next week. Accordingly, for the purpose of continuing such discussions, Plaintiff  
22 Richard Schwartz and Defendant Berkeley Historical Society, by and through their  
23 respective counsel, hereby stipulate that Defendant's time to answer or otherwise plead in  
24 response to the complaint shall be extended to and including June 22, 2005.

25 This is the third extension of time to answer or otherwise respond. The first extension  
26 of time was entered by stipulation on May 16, 2005 and granted on May 17, 2005; the  
27 second extension of time was entered by stipulation June 2, 2005 and granted on June 3,  
28 2005. The parties do not anticipate stipulating to any additional extensions of time.

1 No other dates set by the Court will be affected or altered by this extension of time.  
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3 SO STIPULATED.

4 DATED: June 15, 2005.  
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SIMON J. FRANKEL  
SHANNON SCOTT  
HOWARD RICE NEMEROVSKI CANADY  
FALK & RABKIN  
A Professional Corporation  
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By: \_\_\_\_\_ /s/  
SIMON J. FRANKEL

9 Attorneys for Defendant BERKELEY  
10 HISTORICAL SOCIETY  
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DATED: June 15, 2005.  
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ROBERT BARNES  
THOMAS A. SMART  
KAYE SCHOLER LLP  
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By: \_\_\_\_\_ /s/  
THOMAS A. SMART

17 Attorneys for Plaintiff RICHARD SCHWARTZ  
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HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
*A Professional Corporation*

1 I, Simon J. Frankel, hereby attest, pursuant to N.D. General Order No. 45, that the  
2 concurrence to the filing of this document has been obtained from the other signatory hereto.  
3

4 DATED: June 15, 2005.

5 \_\_\_\_\_ /s/  
6 SIMON J. FRANKEL

7 Attorneys for Defendant BERKELEY  
8 HISTORICAL SOCIETY

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10 Dated: June 16, 2005  
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13 HOWARD  
14 RICE  
15 NEMEROVSKI  
16 CANADY  
17 FALK  
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